

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

JEFFREY JOSEPH,

JUDGMENT

Petitioner,

18-CV-1877(KAM)

19-CV-2250(KAM)

v.

SUPERINTENDENT,
Respondent.

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A Memorandum and Order of Honorable Kiyo A. Matsumoto, United States District Judge, having been filed on September 22, 2020, denying and dismissing both of Mr. Joseph's Section 2254 petitions; granting the issuance of a certificate of appealability with respect only to Mr. Joseph's claim that the prosecutor engaged in misconduct that violated Mr. Joseph's due process rights by posing questions to witnesses regarding alleged gang affiliation; denying the issuance of a certificate of appealability with respect to his other asserted grounds for relief ; it is

ORDERED and ADJUDGED that both of Mr. Joseph's Section 2254 petitions are denied and dismissed in their entirety; that a certificate of appealability is granted with respect only to Mr. Joseph's claim that the prosecutor engaged in misconduct that violated Mr. Joseph's due process rights by posing questions to witnesses regarding alleged gang affiliation; that because Mr. Joseph has not made a substantial showing of the denial of a constitutional right with respect to his other asserted grounds for relief, a certificate of appealability is denied and shall not issue as to those grounds; and that judgment is hereby entered in favor of respondent.

Dated: Brooklyn, New York
September 23, 2020

Douglas C. Palmer
Clerk of Court

By: /s/Jalitza Poveda
Deputy Clerk